

## **JEFF J. MINCKLER**

**E-MAIL:** jeff@minckler.net

*(please use e-mail for all communications)*

**PRESENT OCCUPATION:** Arbitrator and Factfinder

### **BUSINESS ADDRESS**

2355 Westwood Blvd., Box 636  
Los Angeles, CA 90064

### **INDUSTRY/AGENCY EXPERIENCE**

Aerospace, airline, airport, ambulance, asphalt, cemetery, chemical, clerical, communications, construction, custodial, education (K-12 and university, certified and classified), electrical (lineman and commercial), fire (firefighting, EMT, paramedic), food preparation and handling, law enforcement (highway patrol, sheriff, police, 911 dispatch), legal, lumber and plywood, maritime, medical (nursing, health care, laboratory), metal, prison and jail, public works, railroad, road and bridge, security, solid waste (hauling, transfer stations and landfill), technology, transportation (transit, school), trucking (dispatch, OTR, LTL, maintenance), utilities, water and wastewater

### **ISSUE EXPERIENCE**

Alcohol and drugs (on and off duty, testing), arbitrability (affirmative defenses and timeliness), assignments and reassignments, bidding, classification and pay, crew size, discipline and discharge/termination, dishonesty, due process, evaluations, factfinding (advisory and binding), harassment and violence, insubordination, insurance, layoff, leave benefits and abuse, NLRB deferrals including those requiring a decision on statutory issues, off duty conduct, overtime and premium pay, past practice, performance deficiency, public speech, reduction in force, safety, seniority, sleeping on duty, training, wage and benefit comparisons

### **ROSTERS & PANELS**

Alaska Labor Relations Agency  
American Arbitration Association  
California Employment Relations Board  
Federal Mediation and Conciliation Service  
International Organization of Masters, Mates and Pilots  
Los Angeles City Employee Relations Board  
Montana Board of Personnel Appeals  
National Mediation Board (including arbitrating Board deadlocks)  
Nebraska Commission of Industrial Relations  
Nevada Employee-Management Relations Board  
Oregon Employment Relations Board  
Phoenix City Employment Relations Board  
Washington Employment Relations Commission

### **RELATED EMPLOYMENT**

Labor: Representative and chief negotiator, AFL-CIO private sector locals (1973-1974)  
Management: Specialist, Montana State Labor Relations Bureau (1974-1977; Bureau Chief (1977-1979)  
Labor: Regional Manager and Chief Negotiator, Montana Public Employees Association (1979-1982)  
Management: Director of Labor Relations, Montana School Boards Association (1982-1986)  
Labor & Management: Private practice representation in the private and public sectors (1986-2011)  
Neutral: Arbitrator and Factfinder (2011-present)

## **JEFF J. MINCKLER**

### **RELATED EDUCATION**

University of Montana  
Cornell University Graduate School of Industrial and Labor Relations  
American Arbitration Association University  
Arizona Supreme Court & Attorney General ADR course  
Federal Mediation and Conciliation Service Institute  
Labor Arbitration Institute  
National Judicial College

### **PROFESSIONAL AFFILIATIONS**

Association of Administrative Law Judiciary  
Association for Conflict Resolution  
State Bar of California, Labor and Employment Law section  
Labor and Employment Relations Association  
National Association of Hearing Officials  
Oregon State Bar, Administrative Law section  
Washington State Bar Association, ADR section

### **ARTICLES & PRESENTATIONS**

Keynote addresses for public and private sector employers and unions  
Section and panel presenter at state and national conventions  
Partial list of topics:

- Affirmative Defenses in Arbitration
- Standards of Contract Interpretation
- The Use of After-acquired Evidence in Arbitration
- Dissecting Just Cause
- Past Practice Application and Exceptions
- Public Speech Protections and Exceptions
- Living Under At-Will and Wrongful Discharge Statutes
- The Requirements of Due Process
- Weingarten*, *Garrity* and *Beckwith* Protection
- The Off Duty Nexus
- The Law of the Collective Bargaining Hiatus
- Tenured and Nontenured Teacher Dismissal and Nonrenewal
- Satisfying the Requirements of Due Diligence
- Fair Labor Standards Act in the Private and Public Sectors
- Brady* List Impact on Continuing Employment
- A Dozen Variations of Seniority
- Attempting Crystal Clear Contracts

Advanced discipline and discharge course for unions and employers  
Instructor of graduate school labor relations and arbitration advocacy course

### **FEES & EXPENSES**

Daily rate: Grievance arbitration: \$1,000. Interest arbitration, factfinding: add 20%.  
Fee: Daily rate prorated on an 8-hour day for time spent including travel, study and writing.  
Expenses: Transportation, lodging and meals at actual cost.  
Cancellation: One day short notice fee if hearing date is vacated with less than two weeks notice.

**ADDITIONAL & UPDATED INFORMATION:** [www.minckler.net](http://www.minckler.net)